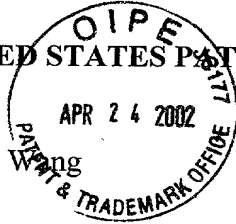


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re application of: Danher Wang

Serial No.: 10/003,005

Filed: November 1, 2001

For: Genetic Vaccine Against Human Immunodeficiency Virus

Group: 1645

Examiner: Unassigned

BOX MISSING PARTS

Commissioner for Patents

Washington, D.C. 20231

**TRANSMITTAL OF SUBSTITUTE DRAWING(S) TO CORRECT INFORMALITIES
IN NOTICE TO FILE MISSING PARTS OF APPLICATION (37 CFR) 1.53(b)**

SUBMISSION OF DRAWING(S)

To correct the informalities in the drawings as noted in the objection(s) under 37 CFR 1.84 and in accordance with the Notice to File Missing Parts of Application mailed March 28, 2002, Applicants submit herewith formal drawing(s) for this application.

Number of sheets of drawings submitted: 71

Respectfully submitted,

WILSON SONSINI GOODRICH & ROSATI

A handwritten signature in cursive script, appearing to read "Shirley Chen".

Shirley Chen, Ph.D.

Reg. No. 44,608

650 Page Mill Road
Palo Alto, CA 94304
(650) 493-9300
Customer No. 021971

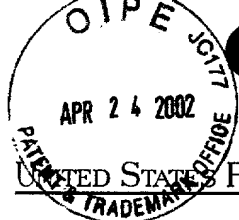
CERTIFICATE OF EXPRESS MAILING (37 C.F.R. 1.10)

Express Mail" Mailing Label No. : EL 778600899 US.

I hereby certify that this paper or fee is being deposited, with the United States Postal Service as "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated below and is addressed to: Box Missing Parts, **Commissioner for Patents, Washington, D.C. 20231.**

Date: April 24, 2002

A handwritten signature in cursive script, appearing to read "Donna L. Hengst".
Donna L. Hengst



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/003,035	11/01/2001	Danher Wang	22488-712

CONFIRMATION NO. 1240

021971

WILSON SONSINI GOODRICH & ROSATI
650 PAGE MILL ROAD
PALO ALTO, CA 943041050

FORMALITIES LETTER



OC000000007741337

Date Mailed: 03/28/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

05/01/2002 BNGUYEN1 00000048 232415 10003035

FILED UNDER 37 CFR 1.53(b)

01 FC:201 370.00 CH
02 FC:203 657.00 CH
03 FC:205 65.00 CH
04 FC:202 42.00 CH

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$1398.
 - \$1314 for 73 total claims over 20.
 - \$84 for 1 independent claims over 3 .
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 2268.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

The following item(s) appear to have been **omitted** from the application:

- Figure(s) **52A,56B** described in the specification.


I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b)**. In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE